

**REQUEST FOR  
ACTION BY:  
TOWN OF CLARENCE, N.Y.**

☒ **Appeal Board**  
☐ **Planning Board**  
☐ **Town Board**

☒ **Appeal**  
☐ **Rezone**  
☐ **Revise Ordinance**  
☐ **Subdivision**  
☐ **Limited Use Permit**  
☐ **Other**

**Rec'd. by:** Brad Packard

**Date** August 29, 2012

**Action Desired** Applicant is requesting a 2.1' variance to allow for the construction of a detached accessory structure 1.1' below the base flood elevation of an existing building lot within the Floodway Density Zone at 7760 Northfield Road in the Agricultural Flood Zone zoning district.

**Base Flood Elevation Calculations:**

Building Site Base Flood Elevation: 587.1'

**Reason** Density Floodway Ordinance Required Finished Floor Elevation: 588.1'

Requested Finished Floor Elevation: 586.0'

**Resulting Base Flood Elevation Ordinance Variance Request: 2.1'**

**Town Code Reference:**

**PLEASE PRINT**

Section 107-5(C) (1)

**Name** Dale Cowan

Please note the following attachments:

**Address** 7760 Northfield Road

1. Site survey and aerial overlay

Clarence Center, NY 14032

2. Proposed building and site pictures

**Town/City** Clarence Center, NY **State** NY **Zip** 14032

3. Original FEMA Letter of Map Amendment for the existing primary residence

**Signed** SIGNATURE ON FILE

Requests for action on zoning should be filled out completely in above spaces if practicable, otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

**Initial Action**

**Approved** ☐

**Rejected** ☐ **by** ..... **on** ..... 19 .....

**Approved** ☐

**Rejected** ☐ **by** ..... **on** ..... 19 .....

**Published (Attach Clipping)** ..... **on** ..... 19 .....

**Hearing Held by** ..... **on** ..... 19 .....

**Final Action Taken**

**Approved** ☐

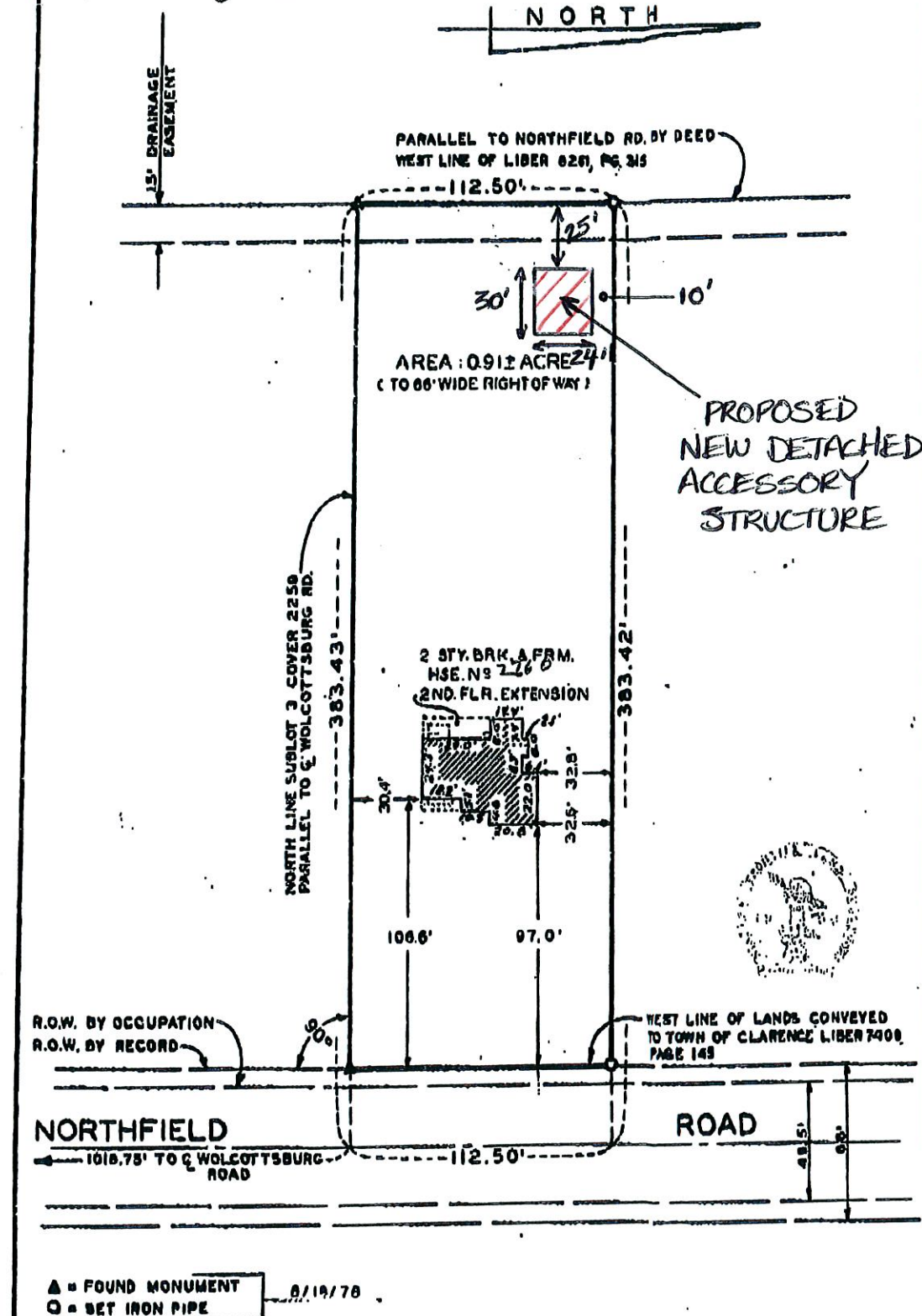
**Rejected** ☐ **by** ..... **on** ..... 19 .....

**Published (Attach Clipping)** ..... **on** ..... 19 .....

**Filed with Town Clerk** ..... **on** ..... 19 .....

**Filed with County Clerk** ..... **on** ..... 19 .....

17.00 - 6 - 33 - 45



SURVEY OF  
PART OF LOT 62, SCT. \_\_\_\_\_  
TWP. 13, R01. 6  
TOWN OF CLARENCE  
ERIE CO., N. Y. D.G.B.

RE-SURVEYED	
7/31/79	JOB# 35281

BISSELL, MERRILL ASSOCIATES, ENGINEERS  
ENGINEERS - SURVEYORS - PLANNERS  
WILLIAMSVILLE, N. Y.

AMHERST

CLARENCE

DATE 8-16-78  
FIELD BOOK 243 / 79  
SCALE 1" = 50'



Pictometry Map Auto

< 1 / 13 >

Compass: N, S, E, W

Navigation icons: Home, Previous, Next, Full Screen

PROPOSED DETACHED  
ACCESSORY STRUCTURE













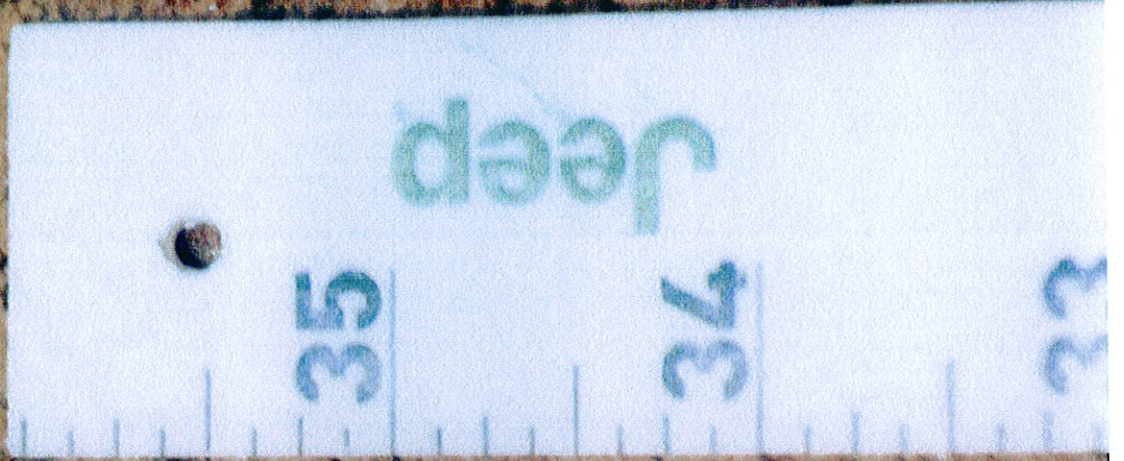








Polymonium  
11th and Hick  
Rock







**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP AMENDMENT  
DETERMINATION DOCUMENT (REMOVAL)**

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	TOWN OF CLARENCE, ERIE COUNTY, NEW YORK	Part of Lot 66, Township 13, Range 6, as described in the Deed recorded in the Office of the County Recorder, Erie County, New York
	COMMUNITY NO.: 360232	
AFFECTED MAP PANEL	NUMBER: 3602320005C	
	NAME: TOWN OF CLARENCE, ERIE COUNTY, NEW YORK	
	DATE: 3/5/1996	
FLOODING SOURCE: BLACK CREEK		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 43.062, -78.668 SOURCE OF LAT & LONG: PRECISION MAPPING STREETS 7.0      DATUM: NAD 83

**DETERMINATION**

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NGVD 29)	LOWEST ADJACENT GRADE ELEVATION (NGVD 29)	LOWEST LOT ELEVATION (NGVD 29)
—	—	—	7760 Northfield Road	Structure	X (unshaded)	587.1 feet	587.2 feet	—


**Special Flood Hazard Area (SFHA)** - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

PORTIONS REMAIN IN THE SFHA  
REISSUANCE

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the structure(s) on the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, 3601 Eisenhower Avenue, Suite 600, Alexandria, VA 22304-6439.

  
 Doug Bellomo, P.E., CFM, Chief  
 Hazard Identification Section, Mitigation Division  
 Emergency Preparedness and Response Directorate

Version 1.3.3

1029299.1LOMA-SL023160163





# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL) ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

### **PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 1 Property.)**

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

### **REISSUANCE (This additional consideration applies to all properties in the LOMA DETERMINATION DOCUMENT (REMOVAL))**

The 4/1/1982, National Flood Insurance Program (NFIP) map has since been superseded by a new NFIP map dated 3/5/1996, for this community. Therefore, this document issues a new determination for the subject property based on the new 3/5/1996, NFIP map.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, 3601 Eisenhower Avenue, Suite 600, Alexandria, VA 22304-6439.

A handwritten signature of Doug Bellomo is shown above his name.

Doug Bellomo, P.E., CFM, Chief  
Hazard Identification Section, Mitigation Division  
Emergency Preparedness and Response Directorate

Version 1.3.3

1029299.1LOMA-SL023160163





# Federal Emergency Management Agency

Washington, D.C. 20472

April 14, 2005

MR. JEFFREY D. PALUMBO  
9276 MAIN STREET  
CLARENCE, NY 14031

CASE NO.: 05-02-0163A  
COMMUNITY: TOWN OF CLARENCE, ERIE COUNTY, NEW  
YORK  
COMMUNITY NO.: 360232

DEAR MR. PALUMBO:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, 3601 Eisenhower Avenue, Suite 600, Alexandria, VA 22304-6439.

Sincerely,

Doug Bellomo, P.E., CFM, Chief  
Hazard Identification Section, Mitigation Division  
Emergency Preparedness and Response Directorate

**LIST OF ENCLOSURES:**

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator  
Community Map Repository  
Region



# Memo

**To:** James B. Callahan, Director of Community Development

**From:** Kathryn T. Vergo, Civil Engineer / Deputy Floodplain Administrator 

**CC:** Timothy M. Lavocat, P.E., Town Engineer

David Burke, Building Inspector

File

**Date:** August 30, 2012

**Re:** 7760 Northfield Road, ZBA Appeal

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The property located at 7760 Northfield Road is located within the 100-Year Density Floodway. The applicant proposes to construct a shed with the finished floor elevation one foot below the base flood elevation (BFE) of 587.1.

The proposed garage finished floor elevation of 586.0 is not in compliance with development standards set forth in Town of Clarence Local Law 03-2000 – Flood Damage Prevention.

The Town of Clarence Local Law 03-2000 – Flood Damage Prevention states that all non-residential structures must have the lowest floor (detached garage finished floor) elevated to one foot above the base flood elevation or in this case at elevation 588.1.

Since the proposed shed is not in accordance with the Flood Damage Prevention Ordinance, we do have no objections to the variance to construct the shed with the finished floor elevation at 586.0 with the following conditions:

- Property owner submit a letter of understanding to the Engineering Department accepting the increased flood risk associated with constructing the shed finished floor elevation 2.1 feet lower than the requirements set forth in Local Law 03-2000.
- All other proposed construction and/or filling operations on the subject property must be in conformance with all requirements set forth in Local Law 03-2000 - Flood Damage Prevention and will be reviewed for compliance by the Engineering Department prior to issuance of a building permit.
- Property owner submit a certified as-built elevation survey of the shed showing the finished floor elevation. This survey will be required prior to issuance of Certificate of Compliance.
- A floodplain development permit is required prior to any work on site.